

18: Priklonski--82 [5] E-5 (no date) 1891

Yakut

116, 758, 763, 888

Yakuts and Tunguses have a peculiar fear of sick people who are facing death. The others leave the patient to his destiny without giving him the least help. The inhabitants of the Sagastyr island in the Lena delta, for instance, destroyed their yurtas with the sick in them and settled beyond the stream on the Kytach island. The Tchuktchis have a custom which is a little different and highly characteristic of their lacking sense of family. When an old man notices that his strength is decaying and that he is going to be a nuisance for those among whom he lives, he wants to rid himself of contempt and asks his eldest son to send him to his ancestors. In compliance with a sacred duty the son then places his father behind a curtain to spare himself the gruesome spectacle when he pushes the heavy knife into the father's heart.

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E-5

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Yakut

763

Fear of the dead sometimes reaches such a degree that all the inhabitants of a yurta may flee away before the man has actually died.

Obviously under the influence of the Russians, the practice of drawing up written testaments had developed among the Yakuts. But the rights of the testator to dispose of his property are circumscribed by the interests of his clan, which in certain instances may not recognize the testament as valid. At the present time the Yakuts make both written and oral testaments, which deal with the division of property among the heirs. In general, it seems, the Yakuts formerly loved and still love to make dispositions before their death. When a Yakut feels the approach of death, writes Mr. Shchukin, for example, he summons the heirs and enjoins them to continue their acquaintance with such and such a one, to beware of another, to take revenge on still another; in detail he exposes the reasons, and the heirs will not utter nor forget [58] a single word, and when their turn comes to die, they will pass the testament on to their heirs. On the basis of these oral dispositions made at the time of death, it was easy to take to the custom, borrowed from the Russians, of written testaments. The contemporary Yakut regards the written and oral testament with the same respect. The signature of a priest is considered quite sufficient for the first, whereas the presence of heirs and relatives is required for the second type of testament. The Yakuts do not have executors.

The rights of the testator to dispose of the property are extremely circumscribed: the testament itself is in the last analysis chiefly a precaution against quarrels over the division of the property.

It is precisely this consideration that is held by Prince Kostrov Ocherk iuridicheskoe byta Ĭakutov (Juridical Customs of the Yakuts, p. 286), to be one of the chief reasons for the development among the Yakuts of the custom of making an oral testament. "Each Yakut knows well that if he should die without a detailed distribution of his property among the members of the family, it would give rise to endless and destructive quarrels among them, and therefore oral testaments among the Yakuts are very customary. Feeling the approach of death or simply finding himself very ill, before all the members of the family the Yakut makes a detailed assignment, what share and precisely what is to be given to the wife, to the sons, daughters, foster-children. When he speaks of the cattle he even cites their color."